

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 30, 2006 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No.05015A, Hartland's Garden Valley CUP

PROPOSAL: To amend the boundary of the CUP by adding 4.67 acres and 23 lots.

LOCATION: Northwest of N. 14th St. and Fletcher Ave.

LAND AREA: 94.72 acres, more or less

EXISTING ZONING: AG, Agricultural and R-3, residential

WAIVER /MODIFICATION REQUEST:

1. Block length for Blocks 9 & 18.
2. Average lot width from 50 feet to 41 feet
3. Lot area from 6,000 s.f. to 4,500 s.f.
4. Double frontage lots on Blocks 1 & 9.
5. Pedestrian easements in Block 9 & 18.
6. Sanitary sewer running opposite the street grade in Garden Valley Rd and North 10th St.
7. Minimum flood corridor easement in Outlot 'A' and 'C'.

CONCLUSION: With conditions this Community Unit Plan is in conformance with the 2025 Comprehensive Plan, zoning ordinance and subdivision ordinance. There is existing urban residential to the north and east. All utilities are available to serve this project.

RECOMMENDATION:

Special Permit	Conditional Approval
<u>Waivers/modifications:</u>	
1. Block length for Blocks 9 & 18.	Approval for Block 9 only.
2. Average lot width from 50 feet to 41 feet	Approval
3. Lot area from 6,000 s.f. to 4,500 s.f.	Approval
4. Double frontage lots on Blocks 1 & 9.	Approval
5. Pedestrian easements in Block 9 & 18.	Approval for Block 9 only
6. Sanitary sewer running opposite the street grade in Garden Valley Rd and North 10 th St.	Approval
7. Minimum flood corridor easement in Outlot 'A' and 'C'.	Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: see attached

EXISTING LAND USE: Undeveloped and single family houses

SURROUNDING LAND USE AND ZONING:

North:	R-3, Residential	Undeveloped, Charleston Heights CUP approved for 350 units.
South:	AG, Agricultural	Single family on acreages
East:	R-3 & R-5 Residential	Single family and townhomes
West:	AG, Agricultural	Single family on acreages

ASSOCIATED APPLICATIONS:

Annexation #06014 and Change of Zone #06053

HISTORY:

January 27, 2006	Final Plat #05081, Hartland's Garden Valley Addition to final plat 40 lots was approved by the Planning Director.
August 29, 2005	Change of Zone #05051 from AG to R-3 & R-5 southeast of N. 14 th & Pennsylvania Ave. was approved by City Council.
August 1, 2005	Change of Zone #04007 from AG to R-3 & R-5 and Annexation #04001 southeast of N. 14 th St & Humphrey was approved by City Council.
June 20, 2005	Annexation #05006, Change of Zone #05024 from AG to R-3 and Special Permit #05015, Hartland's Garden Valley Community Unit Plan for 326 dwelling units was approved by City Council.
June 24, 2004	Stone Bridge Creek 1 st Addition Preliminary Plat #04002 was approved by the Planning Commission.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Lincoln/Lancaster County Land Use Plan identifies this area as residential urban and within the future service limit. (F-23)

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F-18)

A range of parks and open space, from tot-lots to ballfields, should be distributed within neighborhoods and be within walking distance of the residents. (F-18)

Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents. (F-18)

The street network should facilitate calm traffic conditions, provide multiple connections within and between neighborhoods, using neighborhood development aspects such as four way intersections of residential streets, multiple connections to arterial streets and reduced block lengths. (F-19)

"Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community." (F-65)

Guiding principles for new neighborhoods includes:

1. Similar housing types face each other: single family faces single family, change to different use at rear of lot;
2. Parks and open space within walking distance to all residences;
3. Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads (F-67)

Continue the City's growth policy of contiguous urban growth. Urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure. (F 75)

UTILITIES: All utilities are available

TRAFFIC ANALYSIS: The 2025 Comprehensive Plan identifies N. 14th St. as a minor arterial. Fletcher Ave. and Humphrey Ave. are identified as urban collectors.

PUBLIC SERVICE: The nearest fire station is Station 10 located at N. 14th St. and Adams St.

There are two elementary schools located about equal distance from the proposed development; Campbell Elementary located approximately at N. 22nd St. and Superior St. and Belmont Elementary located approximately at N. 14th St. and Adams St. Lincoln Public Schools has proposed constructing a new elementary school at approximately N. 14th St. and Alvo Rd.

ANALYSIS:

1. This application is to increase the boundary of Hartland's Garden Valley CUP by approximately 4.67 acres and increase the number of lots from 323 to 346. A change of zone and annexation are associated with this application.

2. The applicant is requesting a waiver to block length for Blocks 9 & 18. The waiver to Block 9 was previously approved with the original CUP. Planning does not support the waiver for Block 18. The approved site plan for SP #05015 showed Mum Dr. extending from Jayden Ave. to the western boundary of the development in Block 18. Mum Dr should not be deleted.
3. The applicant is requesting a waiver to pedestrian easements in Blocks 9 & 18. The waiver for Block 9 was previously approved with the original CUP. If the block waiver for Block 18 is not granted, then this waiver would not be required.
4. The applicant is requesting waivers to lot width, lot area, double frontage lots and sanitary sewer running opposite street grade were approved with the original CUP.
5. The applicant is requesting a waiver to the minimum flood corridor in Outlot 'A' & 'C'. Public Works & Utilities Department does not support this waiver. The approved site plan for SP #05015 showed a minimum flood corridor in Outlot 'A' & 'C'.
6. The proposed site plan shows parkland within Outlots 'D', 'F', 'L' and 'J'. This would result in a linear park from the southwest to the northeast portion of this development. The previous approved site plan showed the parkland within Block 6. The Parks & Recreation Department does not support the change in location for the future park.

CONDITIONS OF APPROVAL:

Site Specific Conditions:

1. This approval permits 346 dwelling units with the following waivers:
 - A. Block length for Blocks 9 & 18.
 - B. Average lot width from 50 feet to 41 feet
 - C. Lot area from 6,000 s.f. to 4,500 s.f.
 - D. Double frontage lots on Blocks 1 & 9.
 - E. Pedestrian easements in Block 9 & 18.
 - F. Sanitary sewer running opposite the street grade in Garden Valley Rd and North 10th St.
2. The City Council approves associated request:
 - 2.1 Change of Zone #06053
 - 2.2 Annexation #06014

Final plat(s) is/are approved by the City.

If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

Permittee agrees:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

to complete the installation of sidewalks along both sides of the streets and along the south side of Humphrey Ave., and the north side of Fletcher Ave. as shown on the final plat within four (4) years following the approval of the final plat.

to construct the sidewalk in the pedestrian way easements in Outlot 'B', Block 1 at the same time as Garden Valley Road is paved and to agree that no building permit shall be issued for construction on Lots 11 & 12, Block 1 until such time as the sidewalk in the pedestrian way easement is constructed.

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of the final plat.

to complete the planting of the street trees along streets within this plat within four (4) years following the approval of the final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to complete the public and private improvements shown on the Community Unit Plan.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Owner(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

- (1) Owner shall not be relieved of Owner's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to maintain the outlots and private improvements on a permanent and continuous basis.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the plants in the medians and islands on a permanent and continuous basis.

to maintain the sidewalks in the pedestrian way easements on Outlot 'B', Block 1 on a permanent and continuous basis.

to maintain and supervise the private facilities which have common use or benefit on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development.

to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner

to submit to the lot buyers and home builders a copy of the soil analysis.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to protect the trees that are indicated to remain during construction and development

to relinquish the right of direct vehicular access from Lots 47-51, Block 9 and Oultot 'D' to N. 14th St.

General Conditions:

3. Before a final plat is approved:

3.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

3.1.1 A revised site plan including **5** copies showing the following revisions:

3.1.1.1 Show the existing right-of-way on N. 14th St., Humphrey Ave. and Pennsylvania Ave.

3.1.1.2 Remove Lot 9, Block 19 from the CUP. Revise the boundary of the CUP. This lot is not shown within the boundary of the annexation.

3.1.1.3 Show Mum Dr. extending west from Jayden Ave. as shown on the approved site plan of Special Permit #05015.

3.1.1.4 Revise the future street pattern so it allows the existing houses to remain.

3.1.1.5 Remove or define the symbols from Lots 23-17, Block 13 and Lots 1, 3, & 4, Block 14 on the Landscape Plan.

3.1.1.6 Add street trees on Crocus Dr. to the Landscape Schedule.

3.1.1.7 Change the quantity of street trees for Bobby Lane.

3.1.1.8 Add a note to the Landscape Plan stating that the installation of the plant material shall be by a certified landscape contractor as approved by the Parks and recreation Department.

3.1.1.9 Revise the legal description on Sheet 1.

- 3.1.1.10 Revise Note 1 on Sheet 1 to 19 blocks and 346 lots.
- 3.1.1.11 On Sheet 1, delete "except an existing residential access for Lot 9, Block 19" from Note 10.
- 3.1.1.12 Delete waiver #1, it is not necessary to request a waiver to a preliminary plat when doing a CUP.
- 3.1.1.13 Revise Block 6 as shown on the approved site plan of Special Permit #05015. Show the public park in Block 6.
- 3.1.1.14 Show utility easements as requested by LES report of August 14, 2006.
- 3.1.1.15 Make corrections to the satisfaction of Public Works and Utilities Department per their memo of August 17, 2006.

3.1.2 Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

3.2 The construction plans comply with the approved plans.

Standard Conditions:

- 4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the dwelling units all development and construction is to comply with the approved plans.
 - 4.4 All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City.
 - 4.6 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.7 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 4.8 The applicant shall sign and return the letter of acceptance to the City Clerk Clerk within 60 days following the approval of the special permit, provided, however, said 60-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

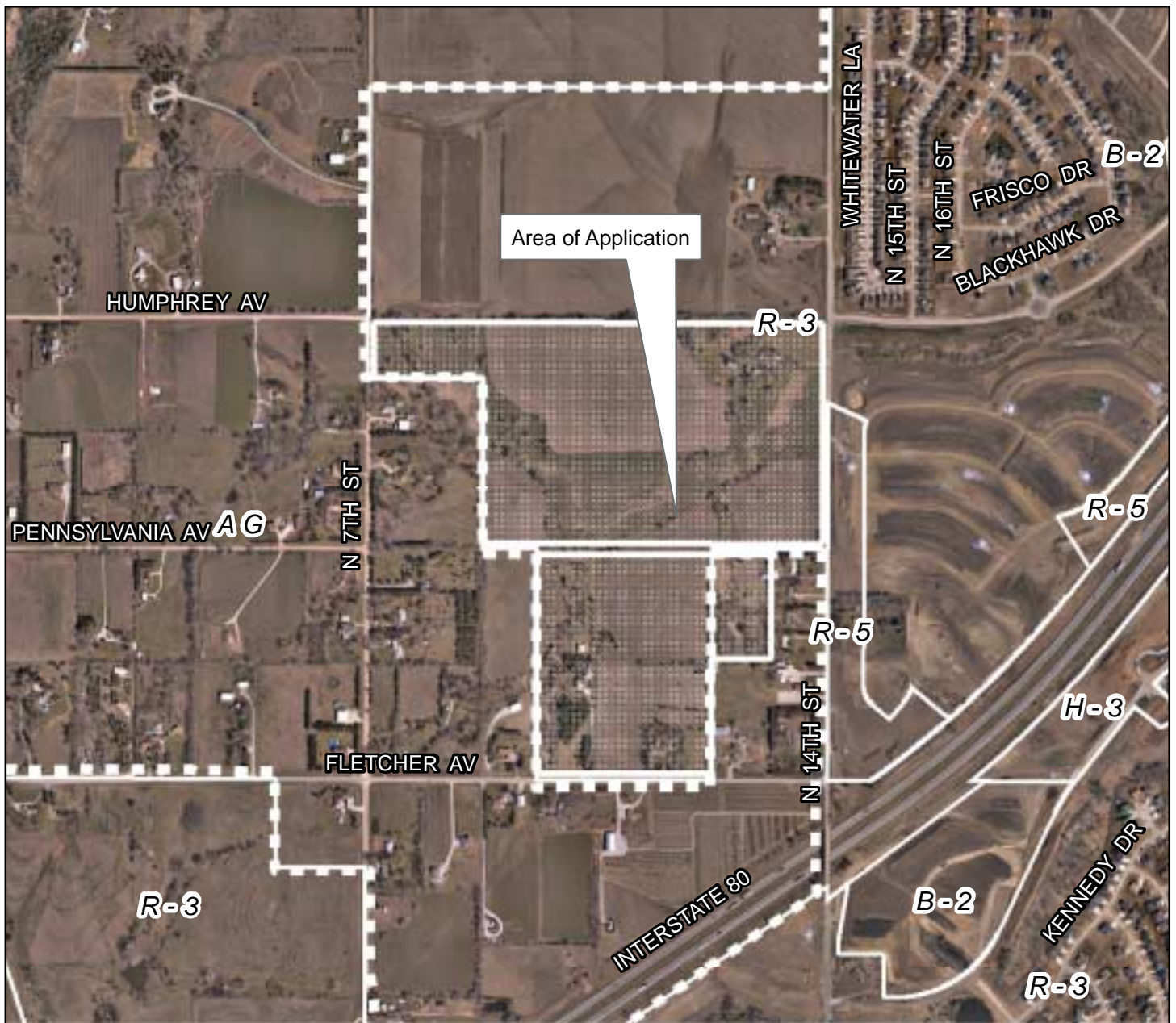
Tom Cajka
Planner

DATE: August 17, 2006

APPLICANT: ESP on behalf of Hartland Homes
601 Old Cheney Rd Suite 'A'
Lincoln, NE 68512

OWNER Hartland Homes, Inc.
PO Box 22787
Lincoln, NE 68542
(402) 477-6668

CONTACT: Marcia Kinning
ESP
601 Old Cheney Rd. Suite 'A'
Lincoln, NE 68512
(402) 421-2500



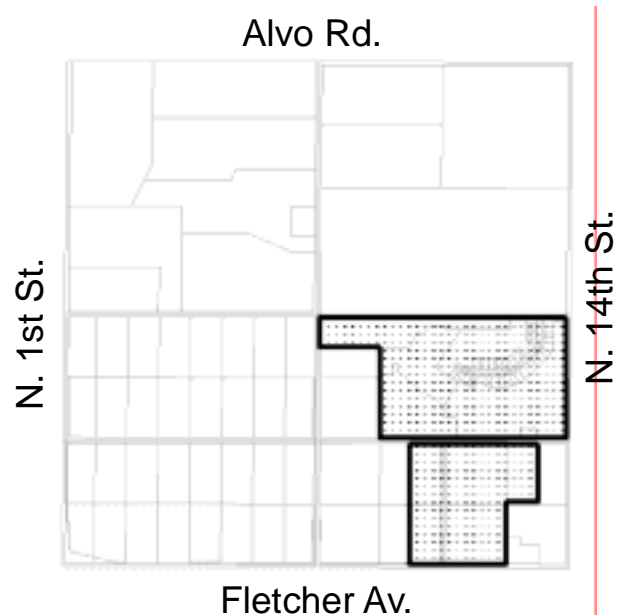
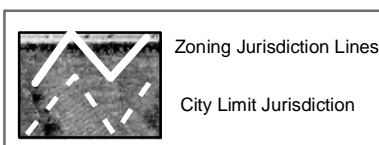
Special Permit #05015A **N. 14th St. and Humphrey Ave.**

2005 aerial

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 35 T11N R06E



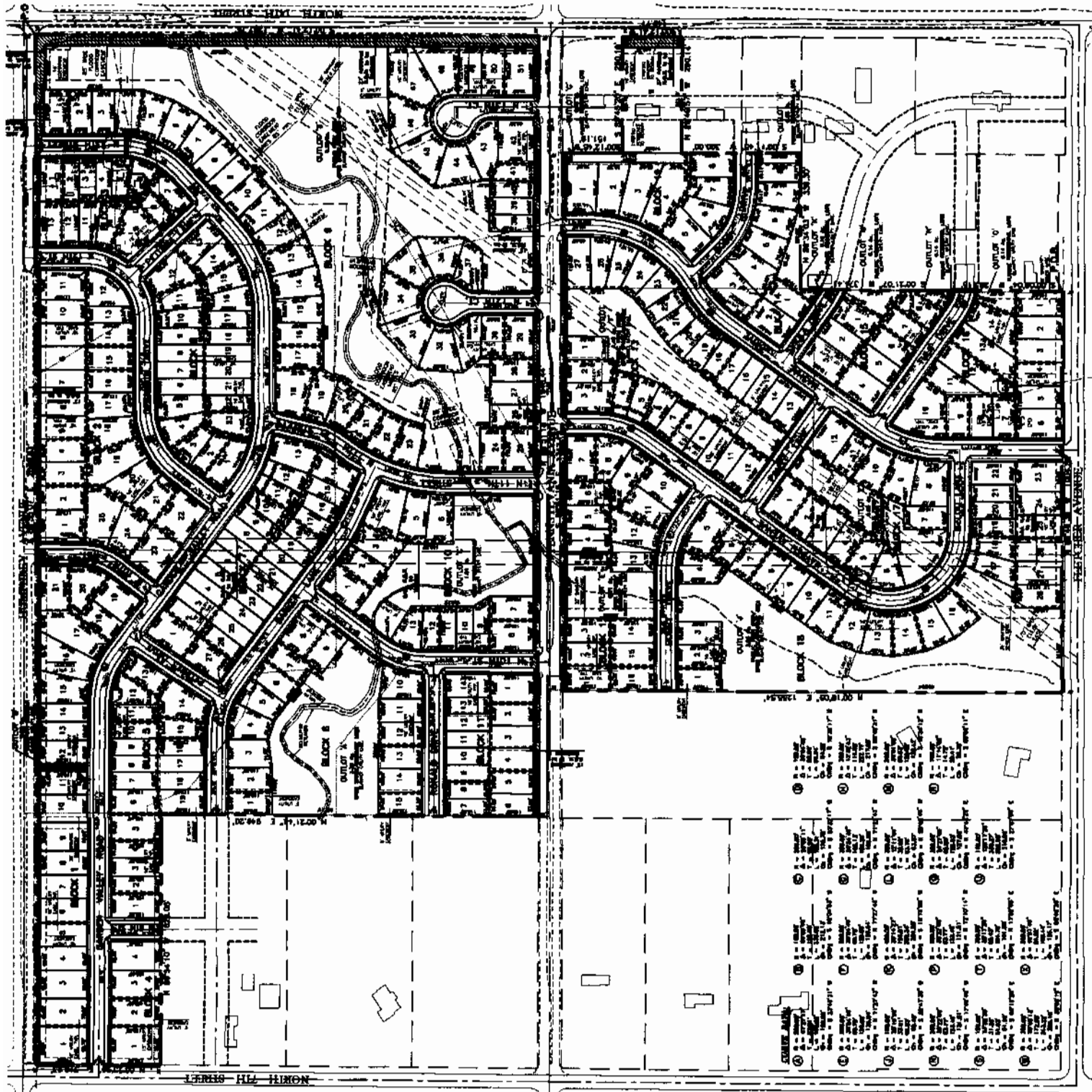
HARTLAND'S GARDEN VALLEY

RECEIVED

AUG - 3 2006

LINCOLN CITY/LANCASTER CO.
PLANNING DEPARTMENT

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HARTLAND'S GARDEN VALLEY

SPECIAL PERMIT #05015A

LEGAL DESCRIPTION:

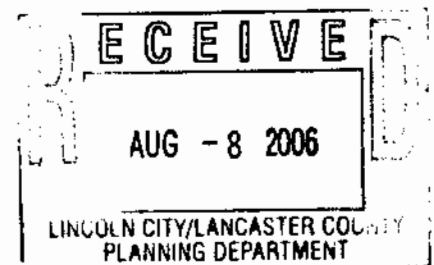
Lots 1 through 4, Block 1, Lots 1 and 4, Block 2 and the North Half of Lot 2, Block 2, and That part of North 11th Street which lies between Blocks 1 and 2, Garden Valley, Located in the Southeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th. P.M., Lincoln, Lancaster County Nebraska, and more particularly described as follows:

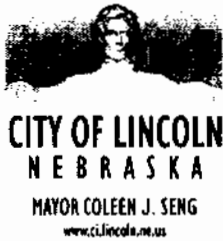
Beginning at the Northeast corner of said Block 1; thence along the East line of said Block, said line also being the West Right-of-Way line of North 14th Street S 00°12'41" W a distance of 1267.75' to the Southeast corner of said Block 1; thence along the North Right-of-Way line of Southwick Avenue, now known as Pennsylvania Avenue, N 89°51'18" W a distance of 1946.44' to the Southwest corner of said Lot 4, Block 2; thence along the West line of said Lots 4 and 1, N 00°21'42" E a distance of 949.20' to a point on the West line of said Lot 1; thence N 89°54'10" W a distance of 626.06' to a point on the East line of said Lot 2; thence along said line, said line also being the East Right-of-Way line of North 7th Street N 00°25'29" E a distance of 316.23' to the Northwest corner of said Lot 2, Block 2; thence along the North line of said Blocks 2 and 1, said line also being the South Right-of-Way line of Humphrey Avenue S 89°55'07" E a distance of 2568.83'; to the point of beginning, having an area of 2661359.87 square feet or 61.096 acres, more or less.

and

Lot 2 and Lot 3 except the South 7.00 feet and part of Lot 1, Block 4, and the East Half of Lots 1 and 4 except the South 7.00 feet, Block 3, and That part of North 11th Street which lies between Blocks 3 and 4, Garden Valley, Located in the Southeast Quarter of Section 35, Township 11 North, Range 6 East of the 6th. P.M., Lincoln, Lancaster County Nebraska, and more particularly described as follows:

Beginning at the intersection of the East line of said Lot 3, Block 4 and the North Right-of-Way line of Fletcher Avenue; thence along the North Right-of-Way line of Fletcher Avenue N 89°46'39" W a distance of 1004.56' to a point on the North Right-of-Way line of Fletcher Avenue; thence N 00°18'05" E a distance of 1255.54' to a point on the North line of said Lot 1, Block 3; thence along the North line of said Blocks 3 and 4, said line also being the South Right-of-Way line of Southwick Avenue S 89°51'18" E a distance of 1342.15' to the Northeast corner of said part of Lot 1, Block 4; thence S 00°12'48" W a distance of 151.19'; thence S 00°11'45" W a distance of 449.85'; thence N 89°34'03" W a distance of 339.30'; thence along the East line of said Lot 3, Block 4 S 00°21'07" W a distance of 374.41'; thence S 00°06'04" W a distance of 283.15' to the point of beginning, having an area of 1,464,414.04 square feet or 33.62 acres, more or less.





**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

Memorandum

Date: 7/17/2006

To: Tom Cajka

From: Devin Biesecker

Subject: Hartland's Garden Valley

cc: Ben Higgins, Chad Blahak

Below are Watershed Management's comments for the Hartland Garden Valley Special Permit.

1. Watershed Management does not agree with the request for a waiver of the Minimum Flood Corridor standard for outlots A and C if the stream in this area has a defined bed and bank. If a bed and bank are not present supporting documentation must be submitted to Public Works and Utilities showing that the stream does not meet the bed and bank requirement. If a bed and bank are present a waiver will be considered if it can be shown that stormwater improvements made in this development equal or exceed the benefits from a Minimum Flood Corridor easement along the stream in outlots A and C. A Minimum Flood Corridor easement along these areas aides in stormwater flood protection, serves as a benefit to water quality, will help to protect homeowner's lots if the stream were to shift, and will serve as a maintenance access if any work would need to be done on the stream in the future.

Memorandum

To: Tom Cajka, Planning Department

From: Chad Blahak, Public Works and Utilities
Dennis Bartels Public Works and Utilities

Subject: Hartland Garden Valley sp05015A cz06053 an06014

Date: August 17, 2006

cc:

Engineering Services has reviewed the submitted plans for the Hartlands Garden Valley Special Permit, located west of North 14th street between Fletcher and Humphrey Avenue and has the following comments:

Sanitary Sewer – The following comments need to be addressed.

(1.1) The existing lot, shown as Lot 9 Block 19 on this plat and annexation, does not meet subdivision requirements as it does not have abutting sewer and water.

Water Main - The following comments need to be addressed.

(2.1) The existing lot, shown as Lot 9 Block 19 on this plat and annexation, does not meet subdivision requirements as it does not have abutting sewer and water.

Grading/Drainage - The following comments need to be addressed.

(3.1) Public Works does not approve the requested waiver of design standards for flood corridor in Outlots A and C as there is no justification provided and there does not appear to be a why the flood corridor in question should not be maintained.

Streets/Paving - The following comments need to be addressed.

(4.1) Public Works does not approve the requested waiver of design standards for block length to remove Mum Drive. There is does not appear to be sufficient justification for the waiver.

(4.2) A note needs to be added to the site plan generally stating that the access to N 14th Street from the existing lot, shown as Lot 9 Block 19 on this plat, will be removed at such time as the lot is further subdivided.

General – The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location

and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

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"Sgt. Don Scheinost"
<lpd798@CJIS.CI.LINCOLN.
NE.US>

08/22/2006 09:12 AM

To Tom Cajka <TCajka@ci.lincoln.ne.us>

cc

bcc

Subject Hartland's Garden Valley CUP - Special Permit #SP05015A /
Change of Zone #CZ06053 / Annexation #AN06014

Mr. Cajka,

With Planning requiring Mum Drive be shown as previously approved, and the waiver to the block length denied, the Lincoln Police Department does not object to Hartland's Garden Valley CUP.

Sergeant Don Scheinost, #798
Lincoln Police Department
Management Services
(402) 441-7215
lpd798@cjis.ci.lincoln.ne.us

INTER-DEPARTMENT COMMUNICATION



DATE August 14, 2006

TO: Tom Cajka, City Planning

FROM: Sharon Theobald (Ext. 7640) *ST*

SUBJECT: DEDICATED EASEMENTS
DN #64N-11E

AN#06014
CZ#06053
SP#05015A

Attached is the Site Plan for Hartland's Garden Valley.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over all of the Outlots.

As already indicated in General Notes #15 and #20:

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

ST/ss
Attachment
c: Terry Wiebke
Easement File

Status of Review: Approved

08/12/2006 2:06:07 PM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Tom Cajka DATE: August 12, 2006

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Hartland's Garden

EH Administration Valley CUP CZ #06053

SP #05015A

AN #06014

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed this proposed development with the following noted:

The LLCHD notes that noise pollution from Interstate 80 may impact this proposed residential development. The LLCHD advises that the Nebraska Department of Roads I-80 Upgrade Draft Environmental Assessment be consulted relative to the predicted noise contours for this area. This noise contour data should be used along with referencing LMC 8.24 Noise Control Ordinance for what are acceptable residential zoning noise standards to establish an appropriate buffer that will protect future residential populations from Interstate 80 noise pollution. The applicant does not provide a buffer from I-80 noise pollution. However, measures may be used, such as earthen berms, to reduce the impact of noise pollution from Interstate 80.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: Active

Reviewed By Law Department

ANY

Comments:

Status of Review: Active

Reviewed By Lincoln Electric System

ANY

Comments:

Status of Review: Active

Reviewed By Lincoln Police Department

ANY

Comments:

Status of Review: Denied

08/08/2006 10:00:19 AM

Reviewed By Parks & Recreation

ANY

Comments: 1. All outlot areas to be maintained by the developer and/or future homeowners association.

The large 2.8 acre outlot in Block, B, northwest of 10th & Ronald Drive is the location of the proposed neighborhood park. The park would also have frontage on Barker Lane to the north. The Parks Department regards the proposal of outlot D, F, L & J and the increase from 2.85 to 15.54 acres for park land.

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Active

Reviewed By Planning Department

TOM CAJKA

Comments:



LYLE L. LOTH, P.E./L.S.

August 21, 2006

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

RE: **HARTLAND'S GARDEN VALLEY - SPECIAL PERMIT #05015A
ANNEXATION & CHANGE OF ZONE**

Dear Marvin,

On behalf of Hartland Homes, Inc, we have submitted the above mentioned applications for your review. The applications are scheduled on the Planning Commission Agenda for August 30, 2006. In my previous application letter I neglected to include the number of single family residential lots being added to the subdivision. The previously approved site plan of the subdivision stated 323 lots and the current submittal includes 346 lots. The total number of lots being added is 23, according to the approved site plan.

Through discussions with the Planning Department, we have modified the future layout of lots on the adjacent property in the southeast corner of the project. We are not including the existing residence along North 14th Street, since the existing residence is already located on its own lot. The total area added to the original subdivision is 4.67 acres. The legal descriptions have been revised and already sent to the Planning Department a few weeks ago. The new layout will allow the existing residences to remain when that area is further developed.

Please feel free to contact me if you have any further questions.

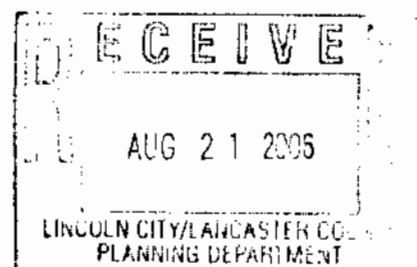
Sincerely,

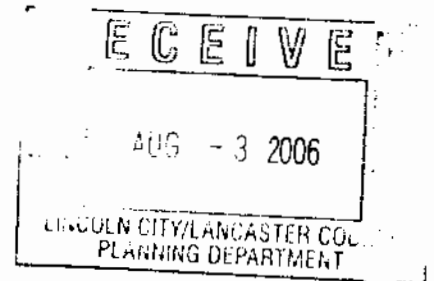
A handwritten signature in cursive script, appearing to read 'Marcia L. Kinning'.

Marcia L. Kinning

Cc. Duane Hartman- Hartland Homes
Peter Katt

Enclosures: 8-1/2" x 11" reductions of the plans





August 2, 2006

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

LYLE L. LOTH, P.E./L.S.

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

**RE: HARTLAND'S GARDEN VALLEY - SPECIAL PERMIT #05015A
ANNEXATION & CHANGE OF ZONE**

Dear Marvin,

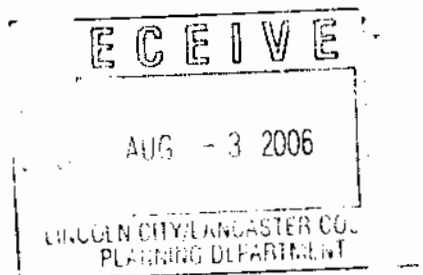
On behalf of Hartland Homes, Inc, we are submitting the above mentioned applications for your review. With this amendment, we are adding area in the southeast corner to the special permit boundary. The property being added has an existing residence and driveway to North 14th Street which we are requesting to remain. The total number of acres added is 5.67 acres making the total area within the special permit 95.72 acres. We are proposing a change of zone from 'AG' to 'R-3' on the added parcel and are asking for annexation at this time.

Through the final plat application of Hartland's Garden Valley 1st Addition, it has come to our attention that the grading in the northwest corner of Pennsylvania and North 14th Street is not satisfactory. We have shown revisions to the grading in this area and believe this will meet the requirements to allow the lots along North 14th Street to be platted at this time.

We have been working with the developer to the north of Humphrey Avenue and have shown the revised grading to match the proposed development. The storm sewer has also been modified to reflect the grading modifications.

We are also asking for a couple of modifications to the approved waivers.

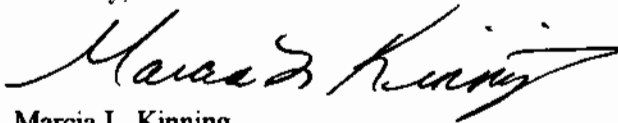
1. Through discussions with the neighbor to the southwest of the property and the desire to maintain the natural environment, we are requesting to remove Mum Drive from the plans and ask for a waiver of block length in Block 18. The removal of this access to the southwest will allow the adjacent owner to develop his property in a sufficient manor.
2. We are under the understanding that the minimum flood corridor easement can be waived if the drainage area is less than 640 acres. Due to this, we are requesting a waiver of the minimum flood corridor easement in Outlot 'A' and Outlot 'C'. An easement remains in Outlot 'D' for the flood corridor as approved.



The public park area which was approved in Outlot 'A' has been relocated to Outlots 'D', 'F', 'L' & 'J'. The total proposed public park area has increase to 15.54 acres from 2.85 acres as previously approved. The proposed park area is located centrally and runs diagonally through the subdivision allowing access to many homeowners through their back yards. The mowing of the public park area by the homeowners association could be provided should the Parks and Recreation Department find that to be desirable.

Please feel free to contact me if you have any further questions.

Sincerely,



Marcia L. Kinning

cc. Duane Hartman- Hartland Homes
Peter Katt

Enclosures: 24 copies of Sheet 1 of 12
8 copies of Sheets 2 thru 12 of 12
Application for a Special Permit, Change of Zone
Change of Zone Fee of \$370.00
Special Permit Fee of \$775.00
Change of Zone Exhibit
Legal Descriptions
2 Copies of Wetland Determination Report
Certificate of Ownership
8-1/2" x 11" reductions of the plans

